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**117-2-2. Licensed classification; experience requirement.** (a) Each applicant for the licensed classification shall have the equivalent of two years of appraisal experience. One thousand hours shall constitute one year of appraisal experience. Any applicant may accumulate experience hours over more than one calendar year and may receive credit for more than 1,000 hours within any one calendar year.

(b)(1) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit ~~a verified appraisal experience log sheet~~ sheets, in a format prescribed by the board, listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

~~(1) The log sheet shall include the following information:~~

~~(A) The date of each appraisal report;~~

~~(B) the category of appraisal conducted;~~

~~(C) the type of property involved and a description of the property involved; and~~

~~(D) the number of hours involved in completing the appraisal.~~

~~Additional file memoranda to support the claim for experience may be requested by the board.~~

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (b)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and  
(ii) to the figure computed in paragraph (b)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(c) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed in accordance with standard rule 3 by the board or the board's designee for competency, within the scope of practice of the appraisal work authorized for the licensed classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto, and in particular, standards 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect at the time the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

(d) Acceptable appraisal experience shall include a minimum of 1,500 experience hours of real property appraisal experience.

(e) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (1) Ad valorem tax appraisal;
- (2) review appraisal;
- (3) real estate consulting;
- (4) highest and best use analysis;
- (5) feasibility analysis study;
- (6) ~~teaching of appraisal courses;~~
- (7) drive-by appraisals; and

~~(8)~~ (7) restricted appraisal reports. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended March 26, 1999; amended Oct. 8, 2004; amended P-\_\_\_\_\_.)

**117-3-2. General classification; experience requirement.** (a) Each applicant for the general classification shall have 3,000 hours of appraisal experience obtained ~~continuously~~ continually over a period of no fewer than 30 months.

(b) At least 1,500 hours of appraisal experience shall have been nonresidential appraisal work. For purposes of this regulation, “residential” shall be defined as one to four residential units.

(c)~~(1)~~ In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit ~~a verified appraisal experience log sheet~~ sheets, in a format prescribed by the board, listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

~~(1) The log sheet shall include the following information:~~

~~(A) The date of each appraisal report;~~

~~(B) the category of appraisal conducted;~~

~~(C) the type of property involved and a description of the property; and~~

~~(D) the number of hours involved in completing the appraisal.~~

~~Additional file memoranda to support the claim for experience may be requested by the board.~~

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (c)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

- (i) Multiply the number of approaches taken by eight; and
- (ii) to the figure computed in paragraph (c)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(d) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed by the board or the board's designee, in accordance with standard rule 3, for competency within the scope of practice of the appraisal work authorized for the general classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto, and in particular, standard rules 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect at the time the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

(e) Acceptable appraisal experience shall include a minimum of 2,500 experience hours of real property appraisal experience.

(f) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (1) Ad valorem tax appraisal;
- (2) review appraisal;
- (3) real estate consulting;
- (4) highest and best use analysis;
- (5) feasibility analysis study;
- (6) ~~teaching of appraisal courses;~~
- (7) ~~drive-by appraisals; and~~
- (8) ~~(7) restricted appraisal reports; and~~
- (9) ~~limited appraisal reports.~~ (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5,

1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997;  
amended Jan. 9, 1998; amended March 26, 1999; amended Oct. 8, 2004; amended P-\_\_\_\_\_.)

**117-4-2. Residential classification; experience requirement.** (a) Each applicant for the residential classification shall have 2,500 hours of appraisal experience obtained ~~continuously~~ continually over a period of no fewer than 24 months.

(b)(1) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit ~~a verified appraisal experience log sheet~~ sheets, in a format prescribed by the board, listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

~~(1) The log sheet shall include the following information:~~

~~(A) The date of each appraisal report;~~

~~(B) the category of appraisal conducted;~~

~~(C) the type of property involved and a description of the property involved; and~~

~~(D) the number of hours involved in completing the appraisal.~~

~~Additional file memoranda to support the claim for experience may be requested by the board.~~

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (b)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and

(ii) to the figure computed in paragraph (b)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(c) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed by the board or the board's designee, in accordance with standard rule 3 for competency within the scope of practice of the appraisal work authorized for the residential classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto, and in particular, standard rules 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect at the time the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

(d) Acceptable appraisal experience shall include a minimum of 2,000 experience hours of real property appraisal experience.

(e) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (1) Ad valorem tax appraisal;
- (2) review appraisal;
- (3) real estate consulting;
- (4) highest and best use analysis;
- (5) feasibility analysis study;
- (6) ~~teaching of appraisal courses~~;
- ~~(7)~~ drive-by appraisals; and

~~(8)~~ (7) restricted appraisal reports. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended Jan. 9, 1998; amended March 26, 1999; amended Oct. 8, 2004; amended P-\_\_\_\_\_.)



**117-6-1. Continuing education; renewal requirements.** (a)(1) The continuing education requirement for renewal of a license or certificate for the provisional, licensed, residential, and general classifications shall be the equivalent of 14 classroom hours of instruction. A two-year total of 28 hours of continuing education hours may be averaged over each two-year period as defined in paragraph (a)(2) and as provided in paragraphs (a)(3) and (a)(4) ~~below~~. Each course for which credit is requested shall have received the approval of the board or approval ~~by~~ of the appraisal licensing agency of the state in which the course was held for renewal of the applicable classification before the completion of the course.

(2) For persons certified or licensed before July 1, 2003, the two-year period shall begin on July 1, 2003 and shall continue biennially thereafter. For persons certified or licensed on and after July 1, 2003, the first two-year period shall end on June 30, 2005 and shall continue biennially thereafter.

(3) For persons certified or licensed before July 1, 2003, within two years after July 1, 2003 and within every subsequent two-year period, each certified or licensed appraiser shall attend a seven-classroom-hour national uniform standards of professional appraisal practice update course, or its equivalent.

(4) For persons certified or licensed on and after July 1, 2003, within the two-year period ending June 30, 2005 and every subsequent two-year period, each certified or licensed appraiser shall attend a seven-classroom-hour national uniform standards of professional appraisal practice update course, or its equivalent.

(b) An appraiser shall not receive continuing education credit for a course for which the appraiser received credit toward the original classroom hour requirement specified in K.A.R. 117-2-1, 117-3-1, or 117-4-1, except for the course on the uniform standards of professional appraisal practice and updates of the course. However, if a licensed or certified appraiser receives credit for a course to apply toward a higher classification, the appraiser may also receive continuing education credit for the course if it is approved by the board or by the appraisal licensing agency of the state in which the course was held for continuing education credit.

(c)(1) Continuing education credit may also be granted for participation, other than as a student, in appraisal educational processes and programs. Activities for which credit may be granted shall include any of the following:

- (A) Teaching;
- (B) program development;
- (C) authorship of textbooks; or
- (D) similar activities that are determined by the board to be equivalent to obtaining continuing education.

(2) Each appraiser seeking credit for attendance at or participation in an educational activity that was not previously accredited shall submit to the board a request for credit, which shall include the following information:

- (A) A description of the activity;
- (B) the date or dates of the activity;
- (C) the subject or subjects covered;
- (D) the name of each instructor and the instructor's qualifications;
- (E) the number of credit hours requested, which shall not exceed the required minimum of 14 hours per renewal; and
- (F) any other relevant information required by the board.

Within 30 days after receipt of this request, the appraiser shall be advised by the board in writing whether credit is granted and what amount of continuing education credit will be allowed. Either the sponsor or appraiser shall submit a separate request for approval of each continuing education activity.

(3) Board members who actively serve on the board may receive ~~14 hours of appraisal continuing education on an annual basis~~ credit for attending a state board meeting once during each two-year continuing education cycle, if the meeting is at least two hours in length.

(d) It shall be the appraiser's responsibility to keep track of that individual's continuing education credit. At the time of renewal of a license or certificate, the appraiser shall provide verification of completion of continuing education by affidavit to the board.

(1) The affidavit shall contain a statement of continuing education courses completed by the appraiser.

(2) The appraiser shall list all courses completed on the affidavit.

(3) The appraiser shall retain all course completion certificates for five years and shall make the certificates available to the board for review upon request.

(e) If any appraiser requests credit according to subsection (c) of this regulation, the appraiser shall submit a detailed description of the activities with the application for renewal on a form obtained from the board.

(f) A Any nonresident of Kansas may receive credit for courses approved by the state of residence by submitting certificates of completion and evidence that each course for which credit is requested was approved by the state of residence. Evidence of renewal of an equivalent license or certificate by a nonresident's state of residence may be recognized by the board as meeting the education requirement for renewal of the nonresident's Kansas license or certificate. (Authorized by K.S.A. 58-4105(a) and K.S.A. 58-4109; implementing K.S.A. 58-4109, K.S.A. ~~2001-Supp.~~ 58-4112, and K.S.A. 58-4117; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended July 25, 1994; amended Feb. 6, 1995; amended Jan. 9, 1998; amended July 16, 1999; amended May 17, 2002; amended May 23, 2003; amended P-\_\_\_\_\_.)

**117-6-2. Continuing education; approval of courses; requirements.** (a) Each sponsor of a continuing education course approved by the board shall ensure that each appraiser participates in a program that maintains and increases the appraiser's skill, knowledge, and competency in real estate appraising.

(b) Courses approved by the board for renewal of a license or certificate shall cover real estate-related appraisal topics that may include the following:

- (1) Ad valorem taxation;
- (2) arbitration;
- (3) business courses related to the practice of real estate appraisal;
- (4) ~~construction~~ development cost estimating;
- (5) ethics and standards of professional practice;
- (6) land use planning, zoning, and taxation;
- (7) management, leasing, brokerage, and time-sharing;
- (8) property development;
- (9) real estate appraisal, ~~including valuations and evaluations~~;
- (10) real estate law;
- (11) real estate litigation;
- (12) real estate financing and investment;
- (13) real estate appraisal-related computer applications;
- (14) real estate securities and syndication; and
- (15) real property exchange.

(c) The length of each course approved for continuing education credit shall be at least two classroom hours.

(d) Any ~~correspondence~~ distance education course may be approved for continuing education credit if ~~the course has received approval for college credit from the American council on education's program on non-collegiate sponsored instruction or if both~~ one of the following conditions are is met:

(1) The course is presented by an accredited college or university that offers ~~correspondence~~ distance education programs in other disciplines- and either of the following conditions is met:

~~(2) (A) The appraiser student successfully completes a written examination administered by an official approved by the college or university or by the sponsoring organization, consistent with the requirements of the course accreditation.~~

~~(B) If a written examination is not required for accreditation, the student successfully completes the course components required for accreditation that demonstrate mastery and fluency.~~

~~(2) The course is presented to an organized group in an instructional setting with a person qualified and available to answer questions, provide information, and monitor student attendance.~~

~~(3) The course has received approval of the international distance education certification center (IDECC) for the course design and delivery mechanism, and either of the following conditions is met:~~

~~(A) The student successfully completes a written examination administered by an official approved by the college or university or by the sponsoring organization consistent with the requirements of the course accreditation.~~

~~(B) If a written examination is not required for accreditation, the student successfully completes the course components required for accreditation that demonstrate mastery and fluency.~~

~~(e) Video and remote television presentations may be approved by the board if either of the following conditions is met:~~

~~(1) The presentation is a minimum of two classroom hours, is for an organized group in an instructional setting, and includes a qualified resource person available to answer questions, provide information, and monitor student attendance.~~

~~(2) (A)(i) The course is presented by a college or university accredited by the commission on colleges or a regional accreditation association that offers similar programs in other disciplines;~~

~~(ii) the course has received approval for college credit by the American council on education through the ACE credit program; or~~

~~(iii) the course has received approval of the international distance education certification center (IDECC) for the course design and delivery mechanism;~~

~~(B) the course has the approval of the licensing or certifying jurisdiction where the course is being offered; and~~

~~(C) the appraiser successfully completes a written examination administered by an official approved by the approved provider.~~

(f) (e) To receive credit for a course, each applicant shall attend all classroom hours, even when the number of credit hours for which a course is approved is less than the total number of hours of the course presentation

~~(g)~~ (f) The only course students or instructors may receive credit for attending or instructing any subsequent offering of the same course for one year after attending or teaching the course shall be any update of the ethics and standards of professional practice course. (Authorized by K.S.A. 58-4105; implementing K.S.A. 58-4109, K.S.A. 2001-Supp. 58-4112, and K.S.A. 58-4117; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Feb. 6, 1995; amended May 23, 2003; amended P-\_\_\_\_\_.)

## **REAL ESTATE APPRAISAL BOARD**

### **NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 10:00 a.m. on July 6, 2006, in the lower level conference room at 1100 S.W. Wanamaker Rd., Topeka, Kansas, to consider the adoption of K.A.R. 117-2-2, 117-3-2, 117-4-2, 117-6-1 and 117-6-2.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, 1100 S.W. Wanamaker Rd., Ste. 104, Topeka, KS 66604. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sally Pritchett at (785) 271-3373 or [cheryl.magathan@kreab.ks.gov](mailto:cheryl.magathan@kreab.ks.gov).

The proposed regulations are for adoption on a permanent basis. A summary of the proposed regulations and the economic impact follows:

**117-2-2 Licensed classification; experience requirement.** This regulation is being changed to remove the specific details of the experience log needed and replace it with "format prescribed by the board." It will also remove teaching of appraisal courses as an alternative to real property appraisal experience. There will be no economic impact to other state agencies or to the public.

**117-3-2 General classification; experience requirement.** This regulation is being changed to remove the specific details of the experience log needed and replace it with "format prescribed by the board." It will also remove teaching of appraisal courses as an alternative to real property appraisal experience, as well as limited

appraisal reports. There will be no economic impact to other state agencies or to the public.

**117-4-2 Residential classification; experience requirement.** This regulation is being changed to remove the specific details of the experience log needed and replace it with “format prescribed by the board.” It will also remove teaching of appraisal courses as an alternative to real property appraisal experience. There will be no economic impact to other state agencies or to the public.

**117-6-1 Continuing education; renewal requirements.** This regulation is being changed to modify the allowance of continuing education credit to board members. There will be no economic impact to other state agencies or to the public.

**117-6-2 Continuing education, approval of courses; requirements.** This regulation is being changed to bring it in line with the requirements of the Appraisal Subcommittee, the federal entity charged with setting the standards for state license/certification of appraisers. There will be no economic impact to other state agencies or to the public.

Copies of the regulations and their economic impact statement may be obtained by contacting the Kansas Real Estate Appraisal Board at:

(785) 271-3373 (phone)

(785) 271-3370 (fax)

cheryl.magathan@kreab.ks.gov (e-mail)

<http://www.kansas.gov/kreab>

Sally Pritchett  
Executive Director

April 20, 2006



## ECONOMIC IMPACT STATEMENT

- 117-2-2 Licensed classification; experience requirement.** This regulation is being changed to remove the specific details of the experience log needed and replace it with “format prescribed by the board.” It will also remove teaching of appraisal courses as an alternative to real property appraisal experience. There will be no economic impact to other state agencies or to the public.
- 117-3-2 General classification; experience requirement.** This regulation is being changed to remove the specific details of the experience log needed and replace it with “format prescribed by the board.” It will also remove teaching of appraisal courses as an alternative to real property appraisal experience, as well as limited appraisal reports. There will be no economic impact to other state agencies or to the public.
- 117-4-2 Residential classification; experience requirement.** This regulation is being changed to remove the specific details of the experience log needed and replace it with “format prescribed by the board.” It will also remove teaching of appraisal courses as an alternative to real property appraisal experience. There will be no economic impact to other state agencies or to the public.
- 117-6-1 Continuing education; renewal requirements.** This regulation is being changed to modify the allowance of continuing education credit to board members. There will be no economic impact to other state agencies or to the public.
- 117-6-2 Continuing education, approval of courses; requirements.** This regulation is being changed to bring it in line with the requirements of the Appraisal Subcommittee, the federal entity charged with setting the standards for state license/certification of appraisers. There will be no economic impact to other state agencies or to the public.